UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,857	04/05/2001	Masashi Yamaguchi	50023-137	3111

7590	05/05/2005

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EXAMINER
FIELDS, COURTNEY D

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/825,857	YAMAGUCHI ET AL.
	Examiner	Art Unit	
	Courtney D. Fields	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 January 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8,10,13-19,22 and 24-43_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8,10,13-19,22 and 24-43_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All · b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Claims 9,11-12,20-21, and 23 have been cancelled.

2.   Claims 41-43 have been added.

3.   Claims 1,8,10,13-19,22,24-25,31-32, and 38-40 have been amended.

Response to Arguments

4.   Applicant's arguments filed 06 January 2005 have been fully considered but they are not persuasive.

5.   Referring to the rejection of claims 1,8,10, and 24, the Applicant contends and argues that the prior art Boden et al. does not teach or suggest storing a security association and security type nor the ability of selecting a security type. The Examiner respectfully disagrees and asserts that Boden et al. does teach storing a security association as shown in Figure 1, Column 3, lines 60-67, Column 4, lines 1-16. Boden et al. discloses a virtual private network connection model existing as a database for storing nodes which are used create a connection. Once the connection is created, the security association are loaded into the IP stack in the kernel to protect the connection's traffic as it passes through the stack. Boden et al. also discloses security associations stored within a security associations pair database, used to store security associations, including name, inbound and outbound IPSec security policy indices (SPIs), authentication algorithm, encapsulation mode (tunnel/transport), and key rounds; static encapsulating security payload (ESP). (See Column 8, lines 39-52). Boden et al. discloses selecting a security type by using a security policy. The security policy object

maps a connection to objects used to define the type of protection needed for each

connection definition. (See Column 10, lines 7-12).

6.   Therefore, the rejection of claims 1-8,10,13-19,22, and 24-43 are rejected in view

of the reasons above and in view of the reasons below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-8,10,13-19,22, and 24-43 are rejected under 35 U.S.C. 102(e) as being

anticipated by Boden et al. (U.S. Patent No. 6,330,562). As per claims 1,8,10, and 24,

Boden et al. discloses a security communication apparatus, system, and method for

assuring the security of the communication sent from a communication terminal on a

sending end to a communication terminal on a receiving end connected via network,

which comprising: storage means storing associating information that associates

information of a user using the communication terminal on the sending end with a

security type and security type selecting means selecting the security type form the

associating information according to the information of user in Column 3, lines 60-67,

Column 4, lines 1-4 and Figure 1.

As per claim 2, Boden et al. discloses the claimed limitation wherein the associating information is changed, the security type selecting means confirms immediately that the communication is establishment based on the changed information in Column 4, lines 5-16.

As per claims 3,15,26, and 33, Boden et al. discloses the claimed limitation wherein the security type selected by the security type selecting means is a kind of security protocol in Column 4, lines 17-22.

As per claims 4,16,27, and 34, Boden et al. discloses the claimed limitation wherein the security protocol is IPSEC in Column 4, lines 4, lines 17-31.

As per claims 5,17,28, and 35, Boden et al. discloses the claimed limitation wherein the security type selected by the security type selecting means is a group of definition information used for security communication in Column 4, lines 23-43.

As per claims 6,18,29, and 36, Boden et al. discloses the claimed limitation wherein the group of definition information is a security policy in Column 4, lines 34-43.

As per claims 7,19,30, and 37, Boden et al. discloses the claimed limitation wherein the group of definition information includes at least either one of an authentication algorithm or an encryption algorithm in Column 5, lines 37-42, Column 8,lines 18-67.

As per claims 13 and 22, Boden et al. discloses the claimed limitation wherein the security type is selected by visually associating the visualized Internet address information with the visualized list of security type in Column 11, lines 4-10, and Table 1.

As per claim 14, Boden et al. discloses the claimed limitation wherein the Internet address information is converted to an IP address by utilizing the domain name system server in Column 6, lines 40-51, Column 9,lines 28-67, Column 10, lines 1-6.

As per claims 25,39, and 43, Boden et al. discloses the claimed limitation wherein the terminal specifying information cannot be found out in the associating information, inquires the communication terminal about the recommendable security type to the communication with the communication terminal in Column 7, lines 27-50.

As per claims 31, 38, and 40, Boden et al. discloses a security communication apparatus and method for assuring the security of the communication sent from a communication terminal on a sending end to a communication terminal on a receiving end connected via network, which comprising: inquiry means inquiring a specific security information apparatus about the security type used for assuring the security, security type selecting means selecting the security type according to a reply from the specific security information apparatus in response to the inquiry in Column 10, lines 53-65.

As per claim 32, Boden et al. discloses the claimed limitation wherein the reply includes one and more security type in Column 10, lines 53-65.

As per claim 41, Boden et al. discloses the claimed limitation wherein the user authentication means inserts the user information in the IP header, and the security type selecting means acquires the user information from the IP header in Column 4, lines 17-42, Column 5, lines 15-42.

As per claim 42, Boden et al. discloses the claimed limitation wherein the storage means stores the terminal specifying information and the recommendable security type in the associating information of the terminal in Figure 1, Column 3, lines 60-67, Column 4, lines 1-16.

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.
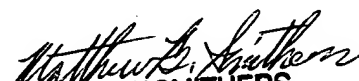
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

cdf
April 28, 2005

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137